



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5  
77 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604-3590

MAR 22 2019

REPLY TO THE ATTENTION OF

WC-15J

**CERTIFIED MAIL 7016 3560 0000 4829 8238**  
**RETURN RECEIPT REQUESTED**

Mr. Matt Sherck, President  
Pleasantview Utilities, Inc  
3812 West Galaxy Drive  
Connersville, Indiana 47331

Subject: Sanitary Sewer System Information Request  
Issued Pursuant to Section 308(a) of the Clean Water Act, 33 U.S.C. § 1318(a)

Dear Mr. Sherck:

Protecting water quality is a high priority of the U.S. Environmental Protection Agency. Pollutants such as bacteria discharged to waterways from sewer overflows contribute to poor water quality and impairment of uses of those waterways. As authorized by the Clean Water Act (CWA), the National Pollutant Discharge Elimination System (NPDES) permit program controls water pollution by regulating point sources that discharge pollutants into waters of the United States.

The Indiana Department of Environmental Management (IDEM) issued NPDES permit number IN0044776 to the Pleasantview Utilities Wastewater Treatment Plant (PUWTP), located at 3812 West Galaxy Drive, Connersville, Indiana. The permit authorizes discharges to waters of the United States in accordance with effluent limitations, monitoring requirements and other conditions set forth in the permit. The enclosed Information Request seeks information related to the operation and maintenance of the PUWTP and its collection system, including information about sewer overflows that may have left the collection system prior to receiving required treatment.

EPA is authorized under Section 308(a) of the CWA, 33 U.S.C. § 1318(a), to require reports and other information necessary to carry out the purpose of the CWA, including efforts to seek penalties for past violations under Section 309(g). Accordingly, pursuant to Section 308(a) of the CWA, you are directed to provide EPA with the information requested in the enclosure.

In accordance with Section V, Paragraph 2 of the Information Request, you must include with your response a statement certifying that all information you submit is true and accurate to the best of your knowledge and belief using the certification language provided in that paragraph.

Any questions that do not directly relate to your sanitary sewer system operations can be addressed with "not applicable" and a brief explanation.

Please exercise care to assure that responses are complete and accurate because Section 309(c)(2) of the CWA, 33 U.S.C. § 1319(c)(2), imposes criminal penalties where false information is knowingly provided to EPA.

You must submit a written response with the information requested in the enclosure within 30 days of receipt of this request to:

Water Enforcement and Compliance Assurance Branch (WC-15J)  
U.S. Environmental Protection Agency, Region 5  
77 West Jackson Boulevard  
Chicago, Illinois 60604  
Attention: Dean Maraldo, Enforcement Officer

Thank you for your cooperation in this matter. Should you have any questions regarding this request or concerning the timeframe in which to respond, please do not hesitate to contact Dean Maraldo of my staff by telephone at (312) 353-0298 or via email at [maraldo.dean@epa.gov](mailto:maraldo.dean@epa.gov) or have your attorney contact Cynthia King, Associate Regional Counsel, at (312) 886-6831 or via email at [king.cynthia@epa.gov](mailto:king.cynthia@epa.gov)

Sincerely,



Patrick F. Kuefler  
Chief, Water Enforcement and Compliance  
Assurance Branch

Enclosure

cc: Becky Ruark, IDEM, w/enclosure

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5**

**IN THE MATTER OF:**

Pleasantview Utilities, Inc.

NPDES Permit No. IN0044776

)  
)  
) Proceeding under Section 308(a) of  
) the Clean Water Act, as amended,  
) 33 U.S.C. § 1318(a)  
)

**INFORMATION REQUEST**

**I. STATUTORY AUTHORITY**

The U.S. Environmental Protection Agency ("EPA") is issuing this Information Request to Pleasantview Utilities, Inc., also known as Pleasant View Utilities, Inc. (You) pursuant to the authority vested in the Administrator of EPA by Section 308(a) of the Clean Water Act (CWA), 33 U.S.C. § 1318(a). The Administrator has delegated this authority to the Regional Administrator of EPA, Region 5, who has re-delegated this authority to the Director of the Water Division, EPA Region 5. On January 29, 2015, the Director of the Water Division, EPA Region 5, re-delegated this authority to the Chief of the Water Enforcement and Compliance Assurance Branch, EPA Region 5.

**II. INSTRUCTIONS**

1. You must respond to this Information Request within 30 calendar days of its receipt. Submission instructions are in Section V of this Information Request.
2. You must respond separately to each of the requests. Where a "yes" or "no" answer is requested, You may provide additional information, if desired. Precede each answer with the number of the request to which it corresponds. For each document produced in response to this Information Request, indicate on the document, or in some other reasonable manner, the number of the request to which it corresponds.
3. If You do not have documents responsive to a particular request, state in your written response that You do not have responsive documents.
4. You must keep the reports and all records reviewed or generated in the course of responding to this Information Request until EPA informs You in writing that You are no longer required to keep the reports and records, or for three years, whichever is sooner.

### III. DEFINITIONS

All terms used in this Information Request that are not defined below shall be defined as they are defined in Section 502 of the CWA, 33 U.S.C. § 1362, and regulations at 40 CFR § 122.2.

Unless otherwise indicated, the following definitions shall apply strictly for the purposes of this Information Request:

1. "Backup" or "Building/Property Backup" shall mean any release of wastewater to public or private property that is caused by Blockages or other conditions in the Sanitary Sewer System. Such releases can include, but are not limited to, those that occur in basements.
2. "Bypass," as defined by 40 C.F.R. § 122.41(m), shall mean the intentional diversion of waste streams from any portion of a treatment facility.
3. "Collection System" shall mean all portions of your sewer system that collect and convey sanitary and/or combined sewage for treatment to the Pleasantview Utilities Wastewater Treatment Plant. The Collection System, for purposes of this Information Request, does not refer to a separate storm sewer system.
4. "Day" or "days" shall mean a calendar day or calendar days. In computing any period of time under this Information Request, where the last day would fall on a Saturday, Sunday, or federal or state holiday, the period shall run until the close of the next business day.
5. "Gravity Sewer" shall mean a pipe that receives, contains, and conveys wastewater that is not normally under pressure and is intended to flow unassisted under the influence of gravity.
6. "Record" or "records" shall mean any recording of information in tangible form. It includes, but is not limited to, documents, memoranda, reports, letters, maps, graphs, charts, log books, notes, emails, computer files, computer printouts, and computer databases.
7. "Sanitary Sewer Overflow" or "SSO" shall mean an overflow, spill, diversion, or release of wastewater from or caused by your Sanitary Sewer System(s). This term shall include: (i) discharges to waters of the United States from the Sanitary Sewer System(s); and (ii) any release of wastewater from the Sanitary Sewer System(s) to public or private property that does not reach waters of the United States, including Backups.
8. "Sanitary Sewer System(s)" shall mean all portions of your sewer system (including all pipes, Force Mains, Gravity Sewer segments, overflow structures, regulators, Pump Stations, manholes, and components thereof), designed and constructed to collect and convey only sewage, and not stormwater, from residences, commercial buildings, industrial plants, and institutions for treatment at the Pleasantview Utilities Wastewater Treatment Plant.
9. "Wastewater Treatment Plant(s)" or "WWTP(s)" shall mean the wastewater treatment plant operated by You, Pleasantview Utilities Wastewater Treatment Plant, National Pollutant Discharge Elimination System (NPDES) Permit Number IN0044776, located at 3812 West Galaxy Drive, Connersville, Indiana, and all components of such sewage treatment plant.

10. "You" for purposes of this Information Request refers to Pleasantview Utilities, Inc., also known as Pleasant View Utilities, Inc., and to any agents, employees, contractors, or other entities that performed work or acted in any way on behalf of, or at the direction of, Pleasantview Utilities, Inc.

#### IV. REQUESTS

##### General Information

1. Please provide the name and address of the location(s) where You maintain records relative to the operation and maintenance (O&M) of your Sanitary Sewer System.
2. Please provide the name and title of the primary contact person(s) responsible for Sanitary Sewer System O&M. Also provide telephone, fax, and email contact information for such person(s).
3. Please provide the following documents:
  - a. A map of the service area for the WWTP that identifies the locations of SSOs reported in Question 16 below, and chronic Backup areas reported in Question 21 below (can be hand-written/drawn on map)

##### Collection System/Service Area

4. Please provide the following information for your Sanitary Sewer System(s):
  - a. Service area (in square miles) \_\_\_\_\_
  - b. Population served \_\_\_\_\_
  - c. Number of service connections:

Residential	_____	Commercial	_____
Industrial	_____	Total	_____
  - d. Actual average daily wastewater flow experienced for the previous 12 months expressed in million gallons per day (MGD). Cite the source or calculation method from which You obtained these values (e.g., flow meters, billing statements, etc.).
  - e. Infrastructure age distribution estimates for the Collection System.

Age	Gravity Sewer, feet
0 - 25 years	
26 - 50 years	
51 - 75 years	
> 76 years	

## Financial Information

5. Please provide the following information related to service to wastewater system users and customers:
  - a. Average annual user charge rate for residential household: \$ \_\_\_\_\_ /year.
  - b. Is the residential rate based on water consumption or a flat rate? \_\_\_\_\_.
6. When was the last wastewater related rate increase? \_\_\_\_\_ (mo/yr), and how much did rates increase?
7. Please provide the following information related to financial management of wastewater service:
  - a. Total annual revenue received from wastewater user charges: \$ \_\_\_\_\_.
    - i. Percent of revenue for long-term debt \_\_\_\_\_%
    - ii. Percent of revenue for treatment and disposal \_\_\_\_\_%
    - iii. Percent of revenue for collection and conveyance \_\_\_\_\_%
8. Other sources of revenue (i.e., property tax, tap-in fees, etc):
  - a. Percent of revenue for long-term debt \_\_\_\_\_%
  - b. Percent of revenue for treatment and disposal \_\_\_\_\_%
  - c. Percent of revenue for collection and conveyance \_\_\_\_\_%
9. Please provide the annual O&M budget for the wastewater collection and conveyance system. \$ \_\_\_\_\_
  - a. Provide the annual costs of O&M for the wastewater collection and conveyance system for the most recent service year \$ \_\_\_\_\_.
  - b. Provide the annual O&M budget for the wastewater treatment system \$ \_\_\_\_\_.
  - c. Provide the annual costs of O&M for the wastewater treatment system for the most recent service year \$ \_\_\_\_\_.
  - d. Provide the annual cost for contract wastewater treatment operator services for O&M for the wastewater treatment, collection and conveyance system for the most recent service year \$ \_\_\_\_\_.
10. Please provide a copy of the contract and scope of work documentation for contract wastewater treatment operator services for O&M for the wastewater treatment, collection and conveyance system for the most recent service year.
11. Do you have a long-range wastewater Capital Improvement Project (CIP) Plan for sewer system rehabilitation, replacement, and expansion? Yes \_\_\_\_\_ No \_\_\_\_\_.

- a. If yes to the Question above, over what time horizon (5 years, 10 years, etc.)?  
\_\_\_\_\_.

12. Please provide copies of federal tax returns with all supporting IRS schedules and attachments for the years 2015, 2016, and 2017.

#### Wastewater Treatment Plant

13. Please describe any processes or operations that can limit the treatment capacity or efficiency at the WWTP (e.g., pump capacity, flow restrictions, tank size, etc.).
14. Please provide the following data for each year for the last five years:
- a. Dates and volumes of flows from the Collection System that did not receive full secondary treatment.
  - b. Dates of treatment upsets at the WWTP due to wet weather flow.
15. For each event identified in response to Question 14, indicate whether the discharge condition is authorized under your NPDES permit. If the discharge condition is permitted, specify the permit provision authorizing such discharge.

#### Sanitary Sewer Overflows

16. Please describe each SSO that has occurred in the Collection System within the last five years. Include the following information for each SSO (create a supplemental table as necessary to list the data below):
- a. Date of the SSO
  - b. Location of the SSO
  - c. Estimated volume of the SSO (in gallons or million gallons (MG))
  - d. Cause of the SSO
  - e. How You determined that the SSO occurred
  - f. Depth of precipitation (in inches) received (if any) contributing to the SSO
  - g. Peak WWTP flow (in MGD) on the day that the SSO occurred
  - h. Disposition of the SSO (i.e., did the release reach a waterway, flow to storm sewer, paved areas, etc.)
  - i. Actions taken to mitigate the SSO
  - j. Whether or not You reported the SSO to the state environmental agency
  - k. How soon after the SSO You reported it
  - l. Whether any samples of the SSO discharge were collected and analyzed

17. Please identify whether You have developed and adopted written procedures or instructions for the following:

- |  |           |          |
|--|-----------|----------|
| a. Identifying SSOs                                      | Yes _____ | No _____ |
| b. Emergency response for SSOs                           | Yes _____ | No _____ |
| c. Reporting all SSOs to the state regardless of size    | Yes _____ | No _____ |
| d. Containment or cleanup to mitigate the effect of SSOs | Yes _____ | No _____ |
| e. Problem evaluation and resolution                     | Yes _____ | No _____ |

18. Please describe your procedure for reporting SSOs to the state environmental agency.

#### Backups

19. Please describe how You document the occurrence of, and response to, Backups.

20. Please indicate the month and year when You began to document Backups: \_\_\_\_\_

21. Please provide the following information related to Backups:

- a. Number of Backups that have occurred in each year for the last five years \_\_\_\_\_.
- b. Number of Backups in each year for the last five years for which You were liable \_\_\_\_\_.

22. Are there portions of the Collection System that have chronic problems with Backups?

Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, list and describe each area and the reasons for chronic Backups in that area.

#### Operation and Maintenance

23. Please describe the O&M procedures You have in place to locate and eliminate problems in your Collection System that would cause or contribute to SSOs and Backups. These procedures can include, but are not limited to, grease control, root control, sewer cleaning, I/I evaluation, problem area targeting, downspout disconnection program, etc.

24. Is a certified operator present at the facility on all days of operation?

Yes \_\_\_\_\_ No \_\_\_\_\_

If No, on what frequency is operator present: \_\_\_\_\_ days per week; and \_\_\_\_\_ hours/day

25. Do You physically inspect all sanitary system manholes on a defined frequency?

Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, on what frequency: every \_\_\_\_\_ months (e.g., every 36 months)



26. Please provide the following information related to Sanitary Sewer System user complaints:

- a. Number of user complaints received each year for the last five years \_\_\_\_\_.
- b. Number of user complaints received each year for the last five years that were your responsibility \_\_\_\_\_.
- c. Number of claims received and damages paid each year for the last five years \_\_\_\_\_.

## V. SUBMITTALS

1. Please submit your response to this Information Request within 30 days of your receipt of the Information Request to:

Water Enforcement and Compliance Assurance Branch (WC-15J)  
U.S. Environmental Protection Agency, Region 5  
77 West Jackson Boulevard  
Chicago, Illinois 60604-3590  
Attention: Dean Maraldo, Enforcement Officer

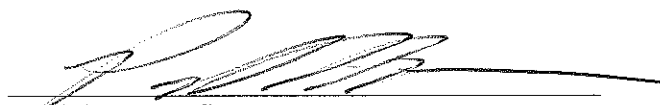
2. You must submit all requested information under an authorized signature with the following certification:

I certify under penalty of law that this response and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person(s) who manage the system, or those person(s) directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of a fine and imprisonment for knowing violations.

3. If You find at any time after submitting information to EPA that any portion of the submittal is false or incorrect, You must notify EPA immediately. Knowing submittal of false information to EPA in response to this Information Request may subject You to criminal prosecution under Section 309(c) of the CWA, 33 U.S.C. § 1319(c), and 18 U.S.C. §§ 1001 and 1341.
4. You may not withhold information because You claim it is confidential. However, pursuant to 40 C.F.R. Part 2, Subpart B, You may assert a claim of business confidentiality regarding any portion of the information submitted in response to this Information Request, as provided in 40 C.F.R. § 2.302(a)(2). The regulations provide that a person may assert a business confidentiality claim covering part or all of the information furnished to EPA when that person submits the information. The manner of asserting such claims is specified in

40 C.F.R. § 2.203(b). Effluent data (as defined in 40 C.F.R. § 2.302(A)(2)) and information in NPDES permit applications is not entitled to confidential treatment. 40 C.F.R. § 122.7. Information subject to a business confidentiality claim is available to the public only to the extent, and by means of the procedures, set forth in 40 C.F.R. Part 2, Subpart B. If You do not assert a claim of business confidentiality when You submit the information, EPA may make the information available to the public without further notice.

5. This Information Request is not subject to the Paperwork Reduction Act, 44 U.S.C. § 3501 *et seq.*, because it seeks collection of information from specific individuals or entities as part of an administrative action or investigation.
6. EPA may use the information submitted in response to this Information Request in an administrative, civil or criminal action.
7. Neither the issuance of this Information Request by EPA nor your compliance with this Information Request relieves You of liability for any penalty, fine, remedy or sanction authorized to be imposed pursuant to Section 309(b), (c), (d), or (g) of the CWA, 33 U.S.C. § 1319(b), (c), (d), or (g), including but not limited to those related to any violations addressed by this Information Request. EPA specifically reserves the right to seek any of the remedies specified in Section 309(b), (c), (d), or (g) of the CWA, 33 U.S.C. § 1319(b), (c), (d), or (g).
8. There can be significant civil or criminal penalties for failing to adequately respond to requests for information issued under the Section 308(a) of the CWA, 33 U.S.C. § 1318(a).
9. If you have any questions regarding this request or concerning the timeframe in which to respond, please do not hesitate to contact Dean Maraldo of my staff by telephone at (312) 353-0298 or via email at maraldo.dean@epa.gov or have your attorney contact Cynthia King, Associate Regional Counsel, at (312) 886-6831 or via email at king.cynthia@epa.gov.

  
Patrick F. Kuefler  
Chief, Water Enforcement and Compliance  
Assurance Branch  
U.S. Environmental Protection Agency, Region 5

3/22/19  
Date